

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

RANDY BEASLEY,

Plaintiff,

File No: 2:11-CV-84

v.

HON. ROBERT HOLMES BELL

UNKNOWN SHUBERT, et al.,

Defendants.

**ORDER APPROVING AND ADOPTING
MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION**

On August 22, 2012, Magistrate Judge Timothy P. Greeley issued a Report and Recommendation ("R&R") recommending that Defendants' motion for summary judgment (Dkt. No. 22) be denied, and that Plaintiff's motion to strike Defendants' affidavits (Dkt. No. 35) be denied. (Dkt. No. 44, R&R.) The R&R was duly served on the parties. No objections have been filed, and the deadline for doing so has expired. The Court has reviewed the matter and concludes that the R&R correctly analyzes the issues and makes a sound recommendation. Accordingly,

IT IS HEREBY ORDERED that the R&R (Dkt. No. 44) is **APPROVED** and **ADOPTED** as the opinion of the Court.

IT IS FURTHER ORDERED that Defendants' motion for summary judgment (Dkt. No. 22) is **DENIED**.

IT IS FURTHER ORDERED that Plaintiff's motion to strike Defendants' affidavits (Dkt. No. 35) is **DENIED**.

Dated: September 14, 2012

/s/ Robert Holmes Bell
ROBERT HOLMES BELL
UNITED STATES DISTRICT JUDGE